

PROB 12
(Rev 02/94)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Michael Elliot,

Defendant.

Criminal Action No. 1:06CR00087-001 (JJF)

Petition on Probation and Supervised Release

COMES NOW Amie K. Docherty, Probation Officer of the Court presenting an official report upon the conduct and attitude of Michael Elliot, who was placed on supervision by the Honorable Leonard D. Wexler, sitting in the court at New York, New York on the 1st day of November 2002, who fixed the period of supervision at three years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

1. The defendant shall not associate, directly or indirectly, with current or former members of the Pagans or Hells Angels
2. The defendant shall not possess any items, colors, or logos associated with the Pagans or any other outlaw motorcycle clubs.
3. The defendant shall comply with the forfeiture clause of the plea agreement.
4. The defendant shall undergo substance abuse treatment, if necessary, with a provider selected by the Probation Dept.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

Standard Condition #7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substance except as prescribed by a physician.

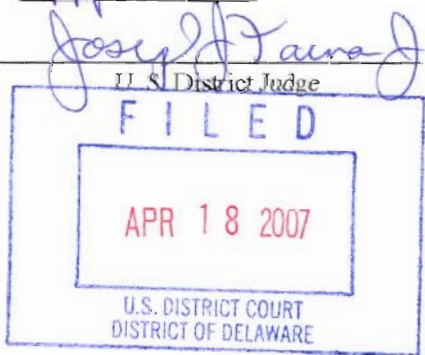
Evidence: The defendant tested positive for the use of cocaine on two occasions, and drank alcohol excessively. The defendant stated that he feels as if depression contributed to his use of cocaine and alcohol.

PRAYING THAT THE COURT WILL ORDER ...that the conditions of supervised release be modified to require Michael Elliot to participate in a mental health treatment program as directed by the probation officer.

ORDER OF COURT

So ordered this 17 day

of April 2007.



I declare under penalty of perjury the foregoing is true and correct,

Amie K. Docherty
U.S. Probation Officer

Executed on April 13, 2007

Place Dover, Delaware

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
DISTRICT OF DELAWARE

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The Defendant shall participate in a mental health treatment program as directed by the probation officer.

Witness:

Amie K. Pocherty
U.S. Probation Officer

Signed:

Michael Delkato
Probationer or Supervised Releasee

4-10-2007
DATE

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